



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN
and
THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

Writ Appeal (MD) No.541 of 2017
&
W.M.P.(MD)No.4542 of 2017

Mr.Felix Antonio Nicholas

... Appellant

Vs.

1.Dr.M.T.Nicholas

2.The Senior Manager,
Corporation Bank,
Nagercoil Branch,
183 - 184, WCC Road,
Opp. WCC College,
Nagercoil - 614,
Kanyakumari District.

... Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, against the order dated 21.04.2017, made in W.M.P.(MD) Nos.2520 and 2521 of 2017 in W.P.(MD)No.3163 of 2017.

Prayer in WMP(MD). 2520/ 2017 :

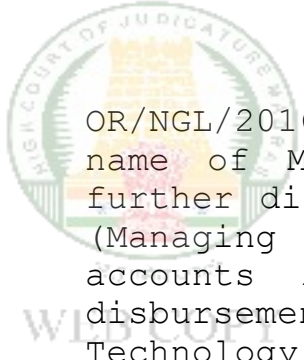
To pass an order of Interim Stay of operation of impugned order passed by the 1st Respondent bank in OR/NGL/2016-2017 dated 08.02.2017, pending disposal of the Main Writ Petition.

Prayer in WMP(MD). 2521/ 2017 :

To pass an Interim Direction directing the 1st Respondent herein to release FDR No. 945670 and permit the petitioner herein to pay salary for all staffs of Loyola Institute of Technology & Science, Thovalai, Nagercoil, Kanyakumari District, pending disposal of the Main Writ Petition.

Prayer in WP(MD). 3163/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus calling for the records of the impugned order passed by the 1st Respondent herein in his proceedings in



OR/NGL/2016-2017 dated 08.02.2017 (freezing of accounts in the name of M/s.Loyola Educational Trust) and quash the same and further direct the 1st Respondent herein to permit the petitioner (Managing Trustee of M/s.Loyola Educational Trust) to operate the accounts in the name of M/s.Loyola Educational Trust for disbursement of salary to the staff of Loyola Institute of Technology & Science), Thovalai, Kanyakumari District.

For Appellant : Mr.T.Lajapathi Roy
For R1 : Mr.D.Nallathambi

JUDGMENT

(Judgement of the Court was made by M.V.Muralidaran, J.,)

Since the Writ Appeal has been filed against the order dated 21.04.2017, made in W.M.P.(MD)Nos.2520 and 2521 of 2017 in W.P.(MD)No.3163 of 2017, this Writ Appeal is liable to be dismissed by giving liberty to the appellant to file vacate stay petition in the Writ Petition. Accordingly, this Writ Appeal is dismissed by giving liberty to the appellant to file vacate stay petition in the Writ Petition. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To:

The Senior Manager,
Corporation Bank,
Nagercoil Branch,
183 - 184, WCC Road,
Opp. WCC College,
Nagercoil - 614,
Kanyakumari District.

+One cc to M/s.D.Nallathambi, Advocate, SR.No.56571

smn2
RL/3C/2P/SKN/SAR1/29.5.2017

W.A. (MD)No.541 of 2017